

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRIAN N. DRAKE,

Petitioner,

-v-

C.A. No. 04-11426(REK)

UBS FINANCIAL SERVICES, INC.,

Respondent.

**PETITIONER'S MOTION TO COMPEL ANSWERS
TO INTERROGATORIES AND PRODUCTION OF DOCUMENTS**

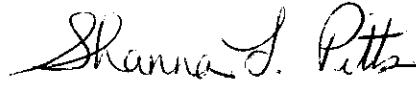
Petitioner Brian N. Drake ("Drake") moves that Respondent UBS Financial Services, Inc. be compelled to answer Interrogatories 2 and 4 of Drake's First Set of Interrogatories, and to produce documents in response to Requests 2 and 3 of Drake' First Request for Production of Documents. The grounds in support of the motion are set forth in the accompanying Memorandum.

**CERTIFICATION OF COMPLIANCE
WITH LOCAL RULES 7.1(A)(2), 26.2(C), AND 37.1(B)**

The undersigned hereby certifies that Shanna L. Pitts, Esq., conferred on August 5, 2004, with William M. Ejzak, Esq., co-counsel for respondents, in a good faith attempt to resolve this motion, but was unable to resolve the issues.

Dated: August 20, 2004

Respectfully submitted,



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Attorneys for Petitioner

CERTIFICATION OF SERVICE

I hereby certify that on this 20th day of August, 2004, I served a true and correct copy of the foregoing, via facsimile and first class mail, postage prepaid, upon the offices of:

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